

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

RODERICK CARMICHAEL,]
[
Plaintiff,]
[
v.] Case No. 2:23-cv-01035-ACA-JHE
[
WARDEN PHYLLIS MORGAN, et]
al.,]
[
Defendants.]

MEMORANDUM OPINION

Plaintiff Roderick Carmichael, *pro se*, was stabbed by inmates while incarcerated at W.E. Donaldson Correctional Facility and asserted an Eighth Amendment failure-to-protect claim under 42 U.S.C. § 1983 against Defendants Phyllis Morgan, a warden at Donaldson; John Hamm, the Commissioner of the Alabama Department of Corrections; and Kenneth Joshua, a captain at Donaldson. (Doc. 9). In January 2025, the magistrate judge entered a report recommending that the court grant Defendants' motion for summary judgment. (Doc. 28; *see* doc. 26 (construing the special report, doc. 25, as a motion for summary judgment)). Although the magistrate judge advised the parties of their right to file specific written objections within fourteen days (doc. 28 at 11), the court has not received any objections.

Having carefully considered *de novo* all the materials in the court file, including the magistrate judge's report and recommendation, the court **ADOPTS** the report and **ACCEPTS** his recommendation. Accordingly, the court **WILL GRANT** Defendants' motion for summary judgment and **WILL ENTER SUMMARY JUDGMENT** in their favor. (Doc. 25).

The court will enter a separate final judgment consistent with this opinion.

DONE and **ORDERED** this February 21, 2025.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE